

Message

From: Dermer, Michele [Dermer.Michele@epa.gov]
Sent: 2/26/2013 7:56:07 PM
To: Robin, George [Robin.George@epa.gov]; Albright, David [Albright.David@epa.gov]
Subject: Cat Canyon followup
Attachments: exampleAE package.pdf

I found the attached file in the pile of files George left for me from his clutter clearing. It is a 20 year old package for an AE submitted to EPA for approval by DOGGR and I think it is more along the lines of what we need from them. I recall seeing other ones that are more recent maybe George can locate.

My reading of the regs - 144.7(b)(3) - the State Director must submit the exemption in writing and if not approved within 45 days it becomes final. Not very specific about what constitutes "in writing" or completeness, but we do have examples of what we have approved in the past. I guess they could argue that putting a cover note on top of an applicant's package is "in writing" so I would propose we deny so the clock stops. We could alternatively tell them we need something like the example package but they could get it to us whenever they want in the next few weeks putting us under the gun. What do you all think we should do next?

Michele

-----Original Message-----

From: Dermer, Michele
Sent: Tuesday, February 26, 2013 11:45 AM
To: Rumrill, Nancy
Cc: R9-Deep
Subject: FW: Scan from a Xerox WorkCentre

Nancy, scan of my markups on your curis letter. I am walking the hard copy over to you. Let me know if you have any questions. Thanks! Michele

-----Original Message-----

From: Dermer.Michele@epa.gov [mailto:Dermer.Michele@epa.gov]
Sent: Tuesday, February 26, 2013 11:39 AM
To: Dermer, Michele
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Number of Images: 2
Attachment File Type: PDF

WorkCentre Location: USEPA Region 9, 12th Floor, Room R1202
Device Name: PN_R1202_Xerox5755_PS

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